

Application No. 10/541,072
Amendment dated December 10, 2007
Reply to Office Action of August 9, 2007

Docket No.: 3888-0110PUS1

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-6 and 16-18 remain under consideration. Claims 7-15 have been withdrawn from consideration. The Examiner is respectfully requested to reconsider her rejections in view of the amendments and remarks as set forth below.

Restriction

The Examiner required a restriction between group 1 including claims 1-6 drawn to a sheet, and group 2 including claims 7-15 drawn to a method of making a sheet. Applicant elected group 1 by way of a telephone conversation on July 24, 2007. They elected group 1 including claims 1-6. Applicant affirms this election. Claims 7 to 15 stand withdrawn from further consideration.

Rejection under 35 U.S.C. § 112

Claims 4 and 6 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner points out that claims may not include a broad range or limitation together with a narrow range or limitation. By way of the present Amendment, Applicant has amended claims 4 and 6 to remove the narrow range of limitation at the end of each claim. Applicant has added dependant claims 16 and 17 to include these limitations. Accordingly, these claims are now believed to be definite.

Rejections under 35 U.S.C. § 102 and § 103

Claims 1 and 4 stand rejection under 35 U.S.C. § 103 as being anticipated by Miyamoto et al. (U.S. Patent 6,120,590). Claims 1, 2 and 6 stand rejected under 35 U.S.C. § 103 as being obvious over Mougin (WO/2001/89470, using U.S. Patent Publication 2002/0115780 as the English equivalent). Claims 1-5 stand rejected under 35 U.S.C. § 103 as being obvious over

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Johnson (U.S. Patent 6,242,047) in view of Linton (U.S. Patent 3,087,828). These rejections are respectfully traversed.

Applicant submits that the present claims as amended are neither anticipated by nor obvious over any of these references. In particular, claim 1 has now been amended to make it clear that the sheet includes a substrate made of a material of cellulose fibers or plastic and a coating layer at the surface of the substrate with the layer being formed from iridescent pigments and hollow plastic microspheres.

The Examiner states that Miyamoto et al. teaches a pigment ink which can provide drawn lines having a metallic lustrous color on writing paper. The Examiner points out that the ink has a metal powder pigment and hollow plastic spheres.

Applicant submits that the teachings of Miyamoto et al. do not anticipate claim 1 as amended. The Examiner is taking the position that the ink added to the paper defines the lines having equivalent structure to the present claimed invention. However, Applicant wishes to point out that claim 1 includes a substrate and a coating layer on the substrate. Applicant submits that the Miyamoto et al. reference does not teach a coating layer at the surface as presently claimed. The two references do not in any manner teach the concept of coating a layer onto the surface of the substrate, instead it is merely used for producing a line on such a writing paper. Accordingly, Applicant submits that claim 1 is not anticipated by this reference. Furthermore, the Examiner has referred to column 9, lines 32-35 to show the use of microspheres. In fact, this section only refers to hollow resin emulsion. Applicant submits that the Examiner has not met his burden of showing a coated layer having hollow plastic microspheres mixed with iridescent pigments. Accordingly, Applicant submits that this claim is additionally allowable over this reference.

The Examiner states that Mougin teaches a composition used as a nail varnish. The varnish includes hollow polymer microspheres and nacre pigments. Applicant submits that this reference also does not teach the presently claimed invention. First, Applicant submits that a fingernail is

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not the same as a sheet. Further, claim 1 further defines a sheet as having a substrate made of a material of cellulose fibers or plastic and a coating layer at the surface of the sheet. Applicant submits that nail varnish applied to a fingernail is not the same as a substrate with a coating layer on the surface of the substrate. Accordingly, Applicant submits that claim 1 also defines over this reference. Further, it is noted that paragraph 0124 in this reference describes the use of polymer microspheres as fillers. These fillers are intended to give the composition body or rigidity with a matte effect and uniformity. Applicant submits that the such a filler is different than the mixture of pigments and microspheres defined by the present invention. Accordingly, Applicant submits that claim 1 further defines over this reference.

The Examiner states that Johnson shows the coated paper with high gloss. The Examiner admits that Johnson does not teach an iridescent pigment. The Examiner relies on Linton to teach an iridescent flake pigment. The Examiner feels that it would have been obvious to add the iridescent pigment of Linton in order to obtain a paper with iridescent decorative effect. Applicant submits that the present claimed invention is not obvious over Johnson in view of Linton. As pointed out in the specification at page 1, line 9, papers having an iridescent appearance are already known. Applicant submits that the combination of Johnson et al., and Linton would teach only the prior art already known. The preparation of the present coating layer produces advantages not seen in the prior art. Merely adding pigment to the paper of Johnson et al. would not teach the present claimed invention. In view of this, Applicant submits claim 1 defines over this combination of references as well.

Claims 2-6 and 16-18 depend from claim 1 and as such are also considered to be allowable. In addition, each of these claims recite other features that make them additionally allowable. In particular, the Examiner is directed to new claim 18 where the coating layer is defined as being a calendered layer. Applicant submits that none of the three references teach the concept of calendering of the sheet after the coating layer has been added. It certainly would go against the teachings of Mougin to calender a fingernail and also goes against the teachings of Miyamoto et al. to calender a piece of paper after a ballpoint pen is used. Likewise, the combination of

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Johnson et al. and Linton does not teach the concept of calendering the layer after it is added to the paper. Accordingly, Applicant submits that this claim is additionally allowable.

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CONCLUSION


In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ken Muncy, Reg. No. 32,334 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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